



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 20, 2007

By Fax

The Honorable Barbara S. Jones
United States District Judge
United States Courthouse
500 Pearl Street, Room 620
New York, NY 10007

USDC SDNY
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DATE FILED: 10/1/07 de

Re: United States v. Annucci and Proscia
S1 06 Cr. 982 (BSJ)

Dear Judge Jones:

The Government respectfully submits this letter to inform the Court of the status of the case with regard to defendant Frank Proscia, and to request additional time to respond to Proscia's motions.

By letter dated September 12, 2007, the Government requested and was granted a one-week extension of time, from September 17, 2007, until September 24, 2007, to respond to Proscia's pretrial motions. As we advised the Court in our September 12th letter, we have been engaged in intensive plea negotiations with Proscia. The negotiations between the Government and defense counsel are continuing, and the Government recently made Proscia a plea offer that Proscia is now considering. Given this status, the Government, with Proscia's consent, respectfully requests an additional two-week extension of time, until October 8, 2007, to respond to Proscia's motions - with the anticipation that the Government and Proscia will resolve this matter before then. In addition, the parties request that the date for a conference before the Court be similarly extended to on or around October 18, 2007, or as soon thereafter is convenient to the Court.

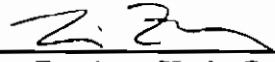
In making this request, the Government notes that Joseph DeMatteo, Esq., counsel for defendant Michael Annucci, has already requested an adjournment of the November 12, 2007 trial date due to his upcoming surgery. The Government has consented to that adjournment given the circumstances, and the parties have requested the Court to set a new trial date in January

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2008. Accordingly, a two-week extension of the briefing schedule as to Proscia's motions would not cause a delay of the trial, as to which an adjournment request is already pending.

Respectfully submitted,

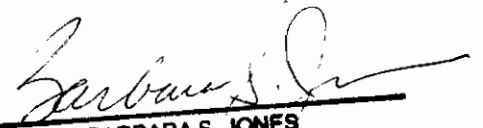
MICHAEL J. GARCIA
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By: 
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cc: Charles Ross, Esq. (By facsimile)
Joseph DeMatteo, Esq. (By facsimile)

Applications granted. Government's
response to defendant Proscia's motions is
due October 8, 2007. Oral argument on
the motions will be held on October 18, 2007
at 10AM. Trial is adjourned to
January 14, 2008 at 10AM.

SO ORDERED
Dated:


BARBARA S. JONES
U.S.D.J.
Oct 1, 2007